

DENNIS MARTIN, as Personal
Representative of the Estate
of PAUL F. MARTIN,
Plaintiff,

CAPE FEAR, INC.,
Defendant.

SUSAN ALLEN, as Personal
Representative of the Estate
of STEVEN M. REEVES,
Plaintiff.

CAPE FEAR, INC.,
Defendant.

C.A. No. 99-10960 (GAO)

STEVEN REEVES

Yes ☒ No ☐

Yes ☒ No ☐

3a. Do you find that the F/V CAPE FEAR was unseaworthy (for reasons in addition to overloading)?

Yes ☒ No ☐

3b. If yes, was this additional unseaworthy condition a cause of injury or death to Steven Reeves?

Yes ☒ No ☐

4a. Do you find that at the time of the sinking that the Defendant, Cape Fear, Inc., and the Defendant's vessel, the F/V CAPE FEAR, were in violation of any applicable U.S. Coast Guard regulations related to safety instructions and drills or survival equipment?

Yes ☒ No ☐

*If you responded "Yes" to Question #4a above, then answer the below Question #4b.
If you responded "No" skip Question #4b and continue with Question #5a.*

4b. Has the Defendant established that none of its violation(s) of Coast Guard regulations could have been a cause of injury or death to Steven Reeves?

Yes ☐ No ☒

5a. Was Steven Reeves negligent?

Yes ☒ No ☐

5b. If yes, was his negligence a contributing cause of his own injury or death?

Yes ☒ No ☐

If you responded "Yes" to both Questions #5a and #5b above, please continue with Question #6.
If you responded "No" to either Question #5a or #5b above, please skip Question #6 and continue with Question #7.

6. Please state in percentage terms the extent to which Steven Reeves' negligence contributed to his own injury or death and the extent to which Defendant's negligence and/or the F/V CAPE FEAR's unseaworthiness caused Mr. Reeves' injury or death.

Steven Reeves' contributory negligence 10 %

Defendant Cape Fear Inc.'s negligence and/or the unseaworthiness of the F/V CAPE FEAR 90 %

TOTAL = 100 %

7. State in dollars the damages arising from the injury or death of Steven Reeves which the Plaintiff has proven by a preponderance of the evidence.

a. Conscious Pain and Suffering \$ 600,000

b. Loss of Support to Tyler Reeves \$ 40,343.00

8a. Do you find that the estate of Steven Reeves is entitled to pre-judgment interest?

Yes ✓ No

8b. If, yes, at what rate of interest? (not to exceed 12%) 6 %

PAUL MARTIN

9. Was the Defendant, Cape Fear, Inc., negligent?

Yes ☒ No ☐

10. If yes, was its negligence a cause of injury or death to Paul Martin?

Yes ☒ No ☐

11a. Do you find that the F/V CAPE FEAR was unseaworthy (for reasons in addition to overloading)?

Yes ☒ No ☐

11b. If yes, was this additional unseaworthy condition a cause of injury or death to Paul Martin?

Yes ☒ No ☐

12a. Do you find that at the time of the sinking that the Defendant, Cape Fear, Inc., and the Defendant's vessel, the F/V CAPE FEAR, were in violation of any applicable U.S. Coast Guard regulations related to safety instructions and drills or survival equipment?

Yes ☒ No ☐

If you responded "Yes" to Question #12a above, then answer the below Question #12b. If you responded "No" skip Question #12b and continue with Question #13a.

12b. Has the Defendant established that none of its violation(s) of Coast Guard regulations could have been a cause of injury or death to Paul Martin?

Yes ☐ No ☒

13a. Was Paul Martin negligent?

Yes ✓ No _____

13b. If yes, was his negligence a contributing cause of his own injury or death?

Yes ✓ No _____

If you responded "Yes" to both Questions #13a and #13b above, please continue with Question #14. If you responded "No" to either Question #13a or 13b above, please skip Question #14 and continue with Question # 15.

14. Please state in percentage terms the extent to which Paul Martin's negligence contributed to his own injury or death and the extent to which Defendant's negligence and/or the F/V CAPE FEAR's unseaworthiness caused Mr. Martin's injury or death.

Paul Martin's contributory negligence 10 %

Defendant Cape Fear Inc.'s negligence and/or the unseaworthiness of the F/V CAPE FEAR 90 %

TOTAL = 100 %

15. State in dollars the damages arising from the injury or death of Paul Martin which the Plaintiff has proven by a preponderance of the evidence.

a. Conscious Pain and Suffering \$ 200,000

b. Funeral Expenses \$ 8000.00

16a. Do you find that the estate of Paul Martin is entitled to pre-judgment interest?

Yes ✓ No _____

16b. If, yes, at what rate of interest? (not to exceed 12%) 6 %

Date: 3/10/04

Scott Pizzi
FOREPERSON